

PROB 12C
(Rev. 8/18)

UNITED STATES DISTRICT COURT
for the
District of New Hampshire

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Cory Huard

Case Number: 0102 1:19CR00111

Name of Sentencing Judicial Officer: Honorable Joseph A. DiClerico, Jr.

Name of Revocation Judicial Officer: Honorable Paul J. Barbadoro

Date of Original Sentence: December 12, 2019

Date of Revocation Sentence: October 27, 2021

Original Offense: Distributing a Controlled Substance (Fentanyl) in violation of 21 U.S.C. § 841(b)(1)(C); Count 2:
Distributing a Controlled Substance (Methamphetamine) in violation of 21 U.S.C. § 841(b)(1)(C)

Original Sentence: 10 months of imprisonment; followed by 3 years of supervised release

Revocation: Time Served (appx. 5 months); 2 years of supervised release

Type of Supervision: Supervised release

Date Supervision Commenced: 10/27/2022

Assistant U.S. Attorney: Joachim Barth

Defense Attorney: Michael J. Iacopino

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons
☐ Other:

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

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|---|--|
| 1 | <p>Violation of Special Condition: <u>As directed by the probation officer, the defendant shall participate in a program approved by the United States Probation Office for treatment of narcotic addiction or drug or alcohol dependency which will include testing for the detection of substance use or abuse.</u> On or about August 11, 2022, Huard was discharged from Rise Above, a sober living program in Manchester, NH, for not following the program's rules.</p> |
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Evidence of this violation consists of a conversation between the probation officer and Huard on August 16, 2022, when he stated he was discharged from Rise Above after relapsing on fentanyl and methamphetamine.

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| 2 | <p>Violation of Mandatory Condition <u>The defendant shall not commit another Federal, state, or local crime.</u> On or about August 16, 2022, the defendant did illegally possess and use controlled substances, fentanyl and methamphetamine, in violation of 21 U.S.C. § 844(a) and NH RSA 318-B:2.</p> |
|---|---|

Evidence in support of this charge includes: 1) a urinalysis screening conducted on August 16, 2022, which returned positive results for fentanyl and methamphetamine; and 2) Huard's verbal and written admissions on August 16, 2022.

3

Violation of Standard Condition #5: You must live at a place approved by the probation officer. If you plan to change where you live or anything about your living arrangements (such as the people you live with) you must notify the probation officer at least 10 days before the change. If notifying the probation officer in advance is not possible due to unanticipated circumstances, you must notify the probation officer within 72 hours of becoming aware of a change or expected change. Since his discharge from sober living on August 11, 2022, and his decision to leave the respite at the Farnum Center on August 18, Huard has failed to keep the probation officer apprised of his living arrangements and his whereabouts are unknown.

Evidence of this violation consists of testimony by the probation officer regarding the defendant's failure to keep the probation officer apprised of his whereabouts since August 18, 2022, after he left the respite center at Farnum Center in Manchester, NH.

U.S. Probation Officer Recommendation:

- ☒ The term of supervision should be
- ☒ revoked.
- ☐ extended for years, for a total term of years.
- ☐ The conditions of supervision should be modified as follows:

I declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted by,

/s/Matthew P. Senesi

Matthew P. Senesi

Sr. U.S. Probation Officer

603-225-1463

Date: 08/23/2022

Reviewed & Approved by:

/s/Eric Gray

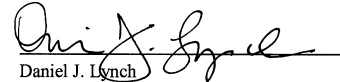
Eric Gray

Supervisory U.S. Probation Officer

603-226-7752

THE COURT ORDERS:

- ☐ No action
- ☒ The issuance of a warrant. Petition and issuance of the warrant to remain sealed pending arrest.
- ☐ The issuance of a summons.
- ☐ Other:


Daniel J. Lynch
United States Magistrate Judge

8/24/2022

Date